

CHAPTER NO. 866

SENATE BILL NO. 2106

By P. Springer

Substituted for: House Bill No. 2418

By Kernell, Garrett, Brooks

AN ACT To amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 13, Chapter 2, relative to the Chickasaw Trail economic development authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-221(a), is amended by deleting item (8) in its entirety.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 29, is amended by adding the following as a new section:

Section _____. (a) The following governmental entities shall terminate on June 30, 2008:

() Chickasaw Trail economic development authority, created by Section 13-2-301;

(b) Each department, commission, board, agency, or council of state government created during calendar year 2006 shall terminate on June 30, 2008.

(c) Any governmental entity which has been terminated under this section may be continued, reestablished, or restructured in accordance with this chapter.

SECTION 3. Tennessee Code Annotated, Section 13-2-304, is amended by adding the following language to the end of the existing section:

Provided, that any land use rule, plan, regulation, or zoning ordinance adopted by the board affecting land within or adjoining any governmental entity, including any governmental entity with authority to adopt zoning, and within one-third (1/3) of a mile thereof, shall be consistent with the land use plan of the unit of such local government and subject to the approval of the governing body of that unit of local government.

SECTION 4. Tennessee Code Annotated, Section 13-2-301, is amended in subsection (b) of Article VII by deleting in the first sentence the word "exclusive".

SECTION 5. Tennessee Code Annotated, Section 13-2-301, is amended in subsection (b) of Article XXXII, Construction of Compact, by deleting the language of such article in its entirety and by substituting instead the following:

Article XXXII. Construction of Compact

Nothing in this section shall be construed so as to conflict with or modify any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other economic development project, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state. The authority conferred by this compact shall not be construed as an exemption from the provisions of Tennessee Code Annotated, Title 65, or from the provisions of Mississippi Code, Section 77-3-1 *et seq.*, as to the requirements for obtaining a certificate of public convenience and necessity, the jurisdiction of the Tennessee Regulatory Authority and the jurisdiction of the Mississippi Public Service Commission to regulate rates, or any other provision of the laws of either state. Furthermore, nothing in this compact shall be construed to deprive, prevent, or hinder a regulated public utility from exclusively providing its services in those portions of the compact area that are now or hereafter included within a certificate of public convenience and necessity issued to the public utility by the Tennessee Regulatory Authority or, the Mississippi State Public Service Commission, or other appropriate regulatory agency. The authority conferred by this compact shall not be construed as a grant of authority to provide cable television, video transmission, video programming services, or other similar service, and this compact shall be subject to all federal, state and local laws, ordinances, rules and regulations governing such services.

SECTION 6. (a) Tennessee Code Annotated, Section 13-2-301, is amended by deleting subitem (16)(A) of Article IV and by substituting instead the following:

(A) Facilities to provide utilities, as defined herein;

(b) Tennessee Code Annotated, Section 13-2-301, is further amended by adding the following language to Article IV as a new, appropriately numbered item:

(_) Except as used in Article XXXII herein, "utility" or "utilities" means potable and industrial water supply systems and sewage and water disposal systems.


SECTION 7. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: May 30, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 6TH day of June 2000


DON SUNDQUIST, GOVERNOR